

Advisory Committee on Commercial Operations to U.S. Customs and Border Protection (COAC)

**U.S. Customs and Border Protection (CBP)
New Orleans, LA**

January 13, 2016

1:00 p.m. – 4:00 p.m.



U.S. Customs and
Border Protection

Committee Welcome and Roll Call

CBP: **Maria Luisa Boyce**
Senior Advisor for Private Sector Engagement
Office of Trade Relations
Office of the Commissioner
U.S. Customs and Border Protection



Opening Remarks

CBP: **R. Gil Kerlikowske**, Commissioner
U.S. Customs and Border Protection

TREASURY: **Timothy Skud**, Deputy Assistant Secretary
Tax, Trade and Tariff Policy, Department of the
Treasury

DHS: **Seth Stodder**, Assistant Secretary
Threat Prevention and Security Policy,
Department of Security

COAC: **Julie Parks**, Member
Vincent Iacopella, Member

Trade Modernization Subcommittee

CBP: **Cynthia Whittenburg**, Executive Director
Trade Policy & Programs, Office of International Trade

Troy Riley, Executive Director, Commercial Targeting &
Enforcement, Office of International Trade,

COAC: **Lenny Feldman**, Member

Cindy Allen, Member

Exports Subcommittee

CBP: **Jim Swanson**, Director, Cargo Security and Controls,
Cargo and Conveyance Security, Office of Field Operations

Deborah Augustin, Acting Executive Director
ACE Business Office, Office of International Trade

COAC: **Liz Merritt**, Member

Heidi Bray, Member



Public Comment Period

Please send in your comments or questions via the Chat box in the webinar.

Your comments will be read into the public record and CBP will respond during the public comment period noted on the agenda if time permits.

One U.S. Government at the Border Subcommittee

- BIEC:** **David Long**, Border Interagency Executive Council,
External Engagement Committee
- FDA:** **Douglas Stearn**, Director, Office of Enforcement and
Import Operations, Food and Drug Administration
- CBP:** **Cynthia Whittenburg**, Executive Director,
Trade Policy & Programs, Office of International Trade
Deborah Augustin, Executive Director,
ACE Business Office, Office of International Trade
Robert McMullen, Executive Director, Cargo Systems
Program Directorate, Office of Information & Technology
- COAC:** **Susie Hoeger**, Member
Scott Boyer, Member
Amy Magnus, Member

One U.S. Government at the Border

Previous recommendations available at:

[COAC Recommendations](#) (FY 13 –FY 15)

- <http://www.cbp.gov/sites/default/files/documents/COAC%20Recommendations%2013th%20Term.pdf>

[COAC Recommendations October 29th, 2015](#) (FY 16)

- <http://www.cbp.gov/sites/default/files/documents/COAC%20Public%20Meeting%20Presentation%20October%2029%202015.pdf>

July 29, 2015 1USG Recommendations

Recommendation 14010

1) ACE Entry Summary: For Entry Summaries that are fully functional in ACE today (types 01, 03, and 11), COAC recommends that CBP maintain the mandatory filing date of November 1. If filers are unable to file these ACE Entry Summary types on November 1 due to unforeseen trade or government systems issues, CBP should allow for a defined informed compliance period, similar to how ISF was implemented. CBP should evaluate the reason the filer is unable to file and require an action plan from the filer that describes how they will become compliant, and hold them accountable for meeting the plan. **CBP should also allow for a defined informed compliance period for filing Entry Summary for those entries that cannot currently be filed in ACE (for example, Lacey and consolidated summaries with multiple consignees).**

Recommendation 14011

2) ACE Cargo Release (without PGAs or with “DIS only” PGAs): COAC recommends that CBP review the ACE Cargo Release adoption rates, development and deployment issues, and other factors as the November 1 date approaches. We recommend that CBP continue to message November 1 as the mandatory filing date for ACE Cargo Release, but implement a “Phased Adoption” schedule, with COAC’s input and industry acceptance, for the complete implementation of ACE Cargo Release to ensure adequate time for programming, testing, training, and deployment. To encourage timely implementation, in consultation with COAC, CBP should provide incentives to filers who are able to meet the November 1 date. For those unable to file, CBP should analyze the filers who have shown a genuine effort to deploy ACE Cargo Release but due to various issues are unable to fully comply. CBP should allow those filers to continue filing ACS Release with ACE Entry Summary under a defined informed compliance period during which CBP will continue to work with those filers through their deployment and exercise enforcement discretion. Those filers who have shown minimal or no attempt to file ACE Cargo Release by November 1 should be held to a more aggressive action plan and be held accountable if minimal or no effort is apparent.

July 29, 2015 1USG Recommendations

Recommendation 14012

3) ACE Cargo Release (with PGA message sets): COAC recommends that CBP, the BIEC and ITDS adjust the November 1 requirement to file ACE Cargo Release with PGAs by ninety (90) days with periodic reassessment to ensure that all pilots have been concluded, issues have been resolved, and the related PGA message sets are fully defined and locked down. **Given the complexity of the PGA aspects of ACE Cargo Release, CBP should provide adequate time for the trade to program, test, train, and deploy after the conclusion of the pilots.**

Recommendation 14015

6) Trade Briefings: COAC recommends that CBP provide COAC and the trade with bi-weekly briefings and status reports, including metrics, on each of the PGA's ACE pilots and general readiness for the mandatory filing date, as well as CBP's future vision for ACE.

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Trade Enforcement and Revenue Collection Subcommittee

CBP: **Jaye Williams**, Chief Financial Officer, Office of Administration

Cynthia Whittenburg, Executive Director
Trade Policy & Programs, Office of International Trade

Troy Riley, Executive Director, Commercial Targeting &
Enforcement, Office of International Trade

COAC: **Kevin Pinel**, Member

Lisa Gelsomino, Member



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Break

We will be taking a ten minute health break and will resume with the October 29th COAC meeting shortly.



Global Supply Chain Subcommittee

CBP: **Liz Schmelzinger**, Acting Director,
Customs-Trade Partnership Against Terrorism, Cargo and
Conveyance Security, Office of Field Operations

Jim Swanson, Director,
Cargo Security and Controls, Cargo and Conveyance
Security, Office of Field Operations

COAC: **Adam Salerno**, Member

Brandon Fried, Member

Trusted Trader Subcommittee

CBP: **Elizabeth Schmelzinger**, Director,
Customs-Trade Partnership Against Terrorism, Cargo and
Conveyance Security, Office of Field Operations

COAC: **Alexandra Latham**, Member

Michael Young, Member



Trusted Trader Recommendations

1. COAC recommends that CBP formalize a vision of an enhanced Trusted Trader Program. The enhanced Trusted Trader Program should consider inclusion of partner government agencies, flexibility in participation based on supply chain roles (importer, exporter, carrier, etc.), and be built on a foundation of national and international interoperability to provide facilitation to global supply chains. This enhanced Trusted Trader Program should be both beneficial and attainable for all sizes and types of businesses by being scalable, achievable and by providing tangible benefits.
2. The COAC recommends that the enhanced Trusted Trader Program is the result of co-creation with the COAC and the trade community to evaluate existing programs and criteria, articulate incremental benefits, and develop the future vision.
3. COAC recommends that CBP communicate this vision to both existing members of the C-TPAT and ISA programs as well as the potential members of a new enhanced Trusted Trader program. Communication should include information on participation eligibility, application processes, validation processes, reporting requirements and incentives available to the trade for participating in these programs.
4. COAC recommends CBP publish a timeline for when they will extend the “Trusted Trader Program Test Incentives” as listed in a notice published in the Federal Register (79 FRN 13992) on June 16, 2014 to existing members of C-TPAT and ISA.

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Adjourn



U.S. Customs and
Border Protection



U.S. Customs and Border Protection

Our Mission

We are the guardians of our Nation's borders.

We are America's frontline.

We safeguard the American homeland at and beyond our borders.

We protect the American public against terrorists and the instruments of terror.

We steadfastly enforce the laws of the United States while fostering our nation's economic security through lawful international trade and travel.

We serve the American public with vigilance, integrity and professionalism.